

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CFE RACING PRODUCTS, INC.,

Plaintiff,

v.

Case Number 11-13744

Honorable David M. Lawson

BMF WHEELS, INC. and BROCK
WELD,

Defendants.

JUDGMENT

This matter came on for trial before a jury on the plaintiff's legal claims and before the Court on the plaintiff's equitable claims. On June 6, 2013, the jury returned a verdict in favor of plaintiff CFE Racing Products, Inc., finding that the defendants, BMF Wheels, Inc. and Brock Weld, had infringed CFE's registered and unregistered trademarks, but also found that the infringement was not intentional and that the plaintiff had not suffered any damages as a result of the infringement. On February 21, 2014, the Court filed an opinion concluding that the plaintiff was entitled to equitable relief and statutory damages.

Accordingly, it is **ORDERED AND ADJUDGED** that the plaintiff shall recover of the defendants, BMF Wheels, Inc. and Brock Weld, jointly and severally, the sum of \$250.

It is further **ORDERED AND ADJUDGED** that the defendants, BMF Wheels, Inc. and Brock Weld, their agents, servants, employees, attorneys and all those in active concert and participation with them who receive actual notice of this judgment are **PERMANENTLY RESTRAINED AND ENJOINED** from:

A. Using the following logos for any purpose:



and any other logo that is styled to approximate the plaintiff's mark as it has been used in commerce, after September 30, 2014;

- B. Using the letters "BMF" in its product descriptions or designations *except* when used in the phrase "BMF Wheels," and then only when accompanied by a disclaimer that the product and company is not affiliated in any way with BMF cylinder heads, CFE Racing Products, Inc., or any of CFE's product lines after September 30, 2014;
- C. Using the letters "BMF" on any product except wheels and rims;
- D. Producing any products bearing the logos set out herein after June 30, 2014; and
- E. Using any websites, domain names, or social media that contain the letters "BMF" within the domain name or website address *unless* the letters are included in the phrase "BMF Wheels" and accompanied by the disclaimer stated above.

It is further **ORDERED AND ADJUDGED** that the defendants, BMF Wheels, Inc. and Brock Weld, their agents, servants, employees, attorneys and all those in active concert and participation with them who receive actual notice of this judgment **MUST**:

- A. Withdraw all advertising in all media that bears the logos set out herein on or before April 30, 2014; and
- B. Dispose of, by sale or destruction, all existing stock of products bearing the logos set out herein on or before September 30, 2014.

It is further **ORDERED AND ADJUDGED** that the complaint in all other respects is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: February 24, 2014

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 24, 2014.

s/Shawntel Jackson
SHAWNTEL JACKSON